

S/N 10/624,333
Ref. No.: 659-1095

REMARKS

About the Claim Objections:

Applicants have amended claims 1 and 28 as suggested by the Examiner to improve the clarity and form thereof. Accordingly, Applicants respectfully request that the Examiner's objections be withdrawn.

About the Prior Art Rejections:

Claims 1, 4, 6-8, 28, 30 and 31:

The Examiner has rejected independent claim 1 as being anticipated by U.S. Publication No. U.S. 2003/0115660 A1 to Hopkins. Applicants have amended claim 1 to recite that "said first and second crotch edges are longitudinally spaced from each other so as to form a gap therebetween with said first and second crotch edges being free of any direct connection therebetween, wherein said first crotch edge of said front body panel does not overlie said rear body panel and said rear crotch edge of said rear body panel does not overlie said front body panel."

In contrast, Hopkins discloses in all embodiments that the crotch edges 80 of the first and second panels 40, 42 are abutted and directly connected one to the other at seam 60 (Hopkins at paras. 54, 56, 64-65; FIGS. 1-14 (see Office Action at 4)). Moreover, there is no suggestion to modify Hopkins to eliminate such a direct connection, or to space the crotch edges apart, as the entire premise of Hopkins is to form a pant structure with an inward fin seam (see Hopkins at paras. 2-11). For these reasons, claims 1, 4, 6-8, 28, 30 and 31 are patentable, and notice to that effect is earnestly solicited.

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Claims 2 and 5:

Applicants gratefully acknowledge the Examiner's statement that claims 2 and 5 would be allowed if rewritten in independent form. In response, Applicants have rewritten claims 2 and 5. Accordingly, those claims are in condition for allowance.

Claims 3, 9-14 and 29:

The Examiner rejected claims 3, 9-14 and 29 under 35 USC 103 as being obvious over Hopkins, alone or in combination with U.S. Patent No. 6,129,720 to Blenke. In response, Applicants have submitted herewith a Declaration under 37 CFR 1.131 that swears behind Hopkins as a reference applied under 35 USC 102(a). Accordingly, the only rejection remaining is the rejection of claims 3, 9-14 and 29 under 35 USC 102(e)/103.

Pursuant to 35 USC 103(c), Applicants, through their undersigned attorney, do hereby state that the present application (S/N 10/624,333) and Hopkins (US 2003/0115660) were, at the time of the invention of the '333 application was made, owned by Kimberly-Clark Worldwide, Inc.

Accordingly, the Examiner's rejections should be withdrawn and claim 3, 9-14 and 29 passed to allowance.

CONCLUSION:

After Amendment, this application has eighteen (18) claims, including eight (8) independent claim. Applicants previously paid for twenty-seven (27) claims including three (3) independent claims. Applicants have enclosed a check in the amount of \$600 for the three additional independent claims. Any additional payments

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or overpayments associated with this Response should be charged or credited.
respectively to Deposit Account No. 23-1925.

If for any reason this application is not considered to be in condition for
allowance and an interview would be helpful to resolve any remaining issues, the
Examiner is respectfully requested to call the undersigned attorney at (312) 321-4713.

Respectfully Submitted,

Dated: November 14, 2006

By:



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